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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/738,329	12/18/2000	Brian F. Beaton	9-13528-145US	2243
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OGILVY RENAULT 1981 MCGILL COLLEGE AVENUE SUITE 1600 MONTREAL, QC H3A2Y3 CANADA			CHUONG, TRUC T	
			ART UNIT	PAPER NUMBER
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DATE MAILED: 04/26/2004				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/738,329

Applicant(s)

BEATON ET AL.

Examiner

Truc T Chuong

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 February 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-47 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-47 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. This communication is responsive to Amendment A, filed 02/02/04.
2. Claims 1-47 are pending in this application. Claim 1 is an independent claim. In Amendment A, claim 1, 6, 18-19-20, and 30 are amended. This action is made final.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-47 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tang et al. (U.S. Patent No. 5,793,365) in view of Klein et al. (U.S. Patent No. 5,995,492).

As to claim 1, Tang teaches a Graphical User Interface (GUI) adapted to facilitate collaboration between a team member and other members of a geographically dispersed team, the GUI comprising:

means for accessing respective preference and presence information concerning each member of the team maintained by a persistent collaboration services suite (col. 3 lines 32-41, col. 4 lines 14-28, and fig. 3);

a first graphical display including a representation of the preference and presence information respecting each of the other members of the team (figs. 1A-8); and

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means for initiating a selected one of a plurality of types of communications (col. 4 lines 14-28); however, Tang does not clearly show in details how each member of the team communicates over at least a Switched Telephone Network (STN). Klein clearly shows virtual switching point in a public switched telephone (col. 17 lines 64-67, col. 18 lines 1-28 and fig. 1) to switch from one telephone to a different telephone. It would have been obvious at the time of the invention that a person with ordinary skill in the art would want to have Klein's virtual switching feature in Tang's communication devices in order to provide an ultimate implementation when user can manually control virtual switches.

As to claim 2, Tang teaches a GUI as claimed in claim 1, wherein the types of communications comprise: 1-way messaging (error message, col. 14 lines 46-52); 2-way messaging; voice; and multi-media (col. 13 lines 1-12, col. 14 line 18).

As to claim 3, Tang inherently teaches a GUI as claimed in claim 2, wherein 1-way messaging comprises one or more of paging because Tang's operating environment uses video, audio, microphone, email, and the like in communications between team members (col. 13 lines 5-12, col. 14 lines 15-18, and figs. 3, 5-6, and 8); therefore, users can setup the email to page them whenever new messages or important news arrive to their personal devices such as: PDAs, cellular phones, pagers, or the like.

As to claim 4, Tang teaches GUI as claimed in claim 2, wherein 2-way messaging comprises instant messaging (error message, col. 14 lines 46-50, reflect status, col. 5 lines 59-61).

As to claim 5, Tang teaches a GUI as claimed in claim 2, wherein multi-media communications comprises one or more of: document sharing; application sharing (col. 3 lines

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59-67); 1-way video conferencing; and 2-way video conferencing (video conference, col. 8 lines 1-28).

As to claim 6, Tang teaches a GUI as claimed in claim 1, further comprising means for enabling the team member to interact with the persistent collaboration services suite to update at least the preference information respecting the team member (col. 14 lines 59-67, col. 15 lines 1-13, update the chat room, col. 11 lines 37-52).

As to claim 7, Tang teaches a GUI as claimed in claim 6, wherein the preference information comprises information identifying a communications device selected by the team member as a preferred communications device for participation in the respective one of the plurality of types of communications (col. 3 lines 59-67, and figs. 3, 5, and 7).

As to claim 8, Tang teaches a GUI as claimed in claim 6, wherein the preference information comprises an indication that the team member does not wish to participate in the respective one of the plurality of types of communications (Do Not Disturb, figs. 1A, and 2).

As to claim 9, Tang teaches a GUI as claimed in claim 1, wherein an instance of the GUI is implemented for each member of the team, and the representation of the preference and presence information respecting each member of the team is substantially identical in each instance of the GUI (user of the same, col. 14 lines 40-53).

As to claim 10, Tang teaches a GUI as claimed in claim 1, wherein the preference and presence information is indicative of an ability of each team member to participate in each one of the plurality of types of communications (fig. 3, and 7-8).

As to claim 11, Tang teaches a GUI as claimed in claim 10, wherein the first graphical display comprises one or more icons representing the preference and presence information concerning a respective team member (icon, col. 5 lines 20-28 and figs. 1A-5).

As to claim 12, Tang teaches a GUI as claimed in claim 11, wherein each icon is a composite icon comprising one or more of:

a communications type icon element representing a respective one of the plurality of types of communications (fig. 3); and

a presence icon element representing a current activity of the respective team member (figs. 7-8).

As to claim 13, Tang teaches a GUI as claimed in claim 12, wherein the communications type icon element is further representative of preference information indicative of preferences of the respective team member for participation in the respective one of the plurality of types of communications (figs. 3, and 7-8).

As to claim 14, Tang teaches a GUI as claimed in claim 13, wherein the preference information is defined by the respective team member (col. 10 lines 51-67 and fig. 9).

As to claim 15, Tang teaches a GUI as claimed in claim 14, wherein the preference information comprises information identifying a communications device selected by the respective team member as a preferred communications device for participation in the respective one of the plurality of types of communications (col. 3 lines 59-67, and figs. 3, 5, and 7).

As to claim 16, Tang teaches a GUI as claimed in claim 14, wherein the preference information comprises an indication that the respective team member does not wish to participate

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in the respective one of the plurality of types of communications (Do Not Disturb, figs. 1A, and 2).

As to claim 17, Tang teaches a GUI as claimed in claim 12, wherein the presence icon element is selected on a basis of presence information indicative of the activity of the respective team member (fig. 1A, 2, and 7).

As to claim 18, Tang teaches a GUI as claimed in claim 17, wherein the presence information is automatically acquired by the persistent collaboration services suite (col. 6 lines 51-62).

As to claim 19, Tang teaches a GUI as claimed in claim 18, wherein the persistent collaboration services suite is adapted to acquire the presence information by detecting an operational status of a communications device selected by the respective team member as a preferred communications device for participation in the respective one of the plurality of types of communications (figs. 1A-B, 3, and 7-8).

As to claim 20, Tang teaches a GUI as claimed in claim 19, wherein the operational status comprises one of:

- an In-Use status indicating that the preferred communications device has been used within a first predetermined period (col. 5 lines 59-62 and fig. 1A, 2, and 7);

- an Idle status indicating that the preferred communications device has not been used within a second predetermined period (col. 5 lines 64-67 and figs. 1A, 2, and 7); and

- an inaccessible status indicating that the collaboration services suite is unable to detect the operational status of the preferred communications device (Out of Office of fig. 2).

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As to claim 21, Tang teaches a GUI as claimed in claim 11, wherein the means for initiating a selected one of the plurality of types of communications is responsive to selection of an icon to initiate the respective type of communications represented by the communications type icon element (figs. 1B, 3, and 7).

As to claim 22, Tang teaches a GUI as claimed in claim 1, further comprising a second graphical display including session information respecting one or more active communications sessions between members of the team (fig. 8).

As to claim 23, Tang teaches a GUI as claimed in claim 22, wherein the session information comprises any one or more of:

- a session type of the active communications session (fig. 9); and
- a participant list identifying each team member participating in the active communications session (figs. 3, 8-9).

As to claim 24, Tang teaches a GUI as claimed in claim 23, wherein the session type of the active communications sessions comprises any one of: text, voice and multi-media (col. 4 lines 14-28).

As to claim 25, Tang teaches a GUI as claimed in claim 23, wherein the second graphical display comprises a session icon representing the session type of the active communications session (figs. 7-8).

As to claim 26, Tang teaches a GUI as claimed in claim 25, wherein the session icon is selected from a library of icons comprising at least one icon for each of text, voice and multimedia (fig. 3).

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As to claim 27, Tang teaches a GUI as claimed in claim 25, wherein the GUI is adapted to enable the team member to join an active communications session using the respective session icon (Join 46 of fig. 9).

As to claim 28, Tang teaches a GUI as claimed in claim 1, wherein the GUI further comprises a third graphical display including one or more team bulletins (fig. 6).

As to claim 29, Tang inherently teaches a GUI as claimed in claim 28, wherein the third graphical display comprises any one or more of: information concerning each team bulletin;

means enabling the team member to edit a team bulletin; and means enabling the team member to post a new team bulletin because Tang's Messages of the Day are displayed to all team members must be updated (posted or edited) by anyone of the team members (col. 8 lines 52-57) or whoever in charge of the activity (element 26 of fig. 5-7).

As to claim 30, Tang teaches a GUI as claimed in claim 29, wherein further comprising means for forwarding each one of posted and edited team bulletins to the collaboration services suite (col. 8 lines 52-57).

As to claim 31, Tang teaches a GUI as claimed in claim 1, wherein the GUI further comprises a fourth graphical display representing a communications session between the team member and one or more other parties to the communications session (figs. 5 and 8).

As to claim 32, Tang teaches a GUI as claimed in claim 31, wherein the one or more other parties to the communications session comprises at least one other member of the team (figs. 1A and 4).

As to claim 33, Tang teaches a GUI as claimed in claim 31, wherein the one or more other parties to the communications session comprises at least one person who is not a member

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of the team (Based on identification information (col. 11 lines 38-45) of any team member who is displayed on Info screen 29 of fig. 1B, other members can easily define that displayed member is belong or not to the team).

As to claim 34, Tang teaches a GUI as claimed in claim 31, wherein the communications session comprises an exchange of any one or more of: text, voice and multi-media data content between the parties to the communications session (chat room, col. 9 lines 38-55).

As to claim 35, Tang teaches a GUI as claimed in claim 31, wherein the fourth graphical display comprises session information comprising any one or more of:

a session identifier; text information of a session topic; information identifying an initiating team member who initiated the communications session; information concerning each party to the communications session; a session start time; text information of at least one session note; information concerning a document shared between parties in the communications session (figs. 3, 5-9).

As to claim 36, Tang teaches a GUI as claimed in claim 35, wherein the session topic is defined by an initiating team member who initiated the communications session (it can be rejected under similar rationale as claim 33 above).

As to claim 37, Tang teaches a GUI as claimed in claim 35, wherein the GUI is adapted to enable the user to change the text information of at least one session note during the communications session (chat room, col. 9 lines 38-55).

As to claim 38, Tang teaches a GUI as claimed in claim 37, wherein GUI is adapted to enable the user to change the text information of at least one session note by either one or both

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of: editing an existing session note and adding a new session note (it can be rejected under similar rationale as claim 33 above).

As to claim 39, Tang teaches a GUI as claimed in claim 37, wherein a change in the text information of at least one session note effected by the user is replicated to each of the parties to the communications session (col. 8 lines 52-57).

As to claim 40, Tang teaches a GUI as claimed in claim 35, wherein the information identifying a shared document comprises any one or more of:

a document ID identifying the shared document (The documents and files (col. 3 lines 59-67 and col. 4 lines 1-14) must be provided file names and locations where they are stored in order to retrieve for sending, editing, viewing, etc.); an address identifying a location of the shared document; and a web-link enabling the user to access the shared document through a network.

As to claim 41, Tang teaches a GUI as claimed in claim 35, wherein the communications session comprises an exchange of multi-media data content, and the session information further comprises information concerning real-time events exchanged during the communications session (fig. 6).

As to claim 42, Tang inherently teaches a GUI as claimed in claim 31, wherein the GUI is adapted to enable the user to invite a new party to join the communications session because Tang's operating environment uses video, audio, microphone, email, and the like in communications between team members (col. 13 lines 5-12, col. 14 lines 15-18, and figs. 3, 5-6, and 8); therefore, users can setup the email to send new messages or important news arrive to all other teams (or new teams) throughout a Network.

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As to claim 43, Tang teaches the operating environment uses video, audio, microphone, email, and the like in communications between team members (col. 13 lines 5-12, col. 14 lines 15-18, and figs. 3, 5-6, and 8); therefore, users can setup the email to send new messages or important news arrive to all other teams (or new teams) throughout a Network.

As to claim 44, it can be rejected under similar rationale as claim 43 above.

As to claim 45, it can be rejected under similar rationale as claim 43 above.

As to claim 46, Tang teaches a GUI as claimed in claim 44, wherein the contact information concerning the new party is contained in a contact directory accessible by the team member (chat room directory, col. 10 lines 51-67 and fig. 9).

As to claim 47, Tang teaches a GUI as claimed in claim 46, wherein the contact directory comprises any one or more of:

a personal contact directory maintained by the team member; an enterprise directory maintained by an enterprise; and a public directory (col. 10 lines 51-67 and fig. 9).

Response to Arguments

5. Applicant's arguments with respect to claims 1-47 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

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A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Truc T Chuong whose telephone number is 703-305-5753. The examiner can normally be reached on M-Th and alternate Fridays 8:30 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine L. Kincaid can be reached on 703-308-0640. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Truc T. Chuong

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04/12/04

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